

Notice of Allowability

Application No.

10/089,170

Applicant(s)

SAGAWA ET AL.

Examiner

Sikha Roy

Art Unit

2879

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment submitted May 23, 2006.
2. ☒ The allowed claim(s) is/are 7-9,21-23 and 30-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 0302 (Page 2)
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

The Amendment, filed on May 23, 2006 has been entered and acknowledged by the Examiner. The objection to claim 22 has been withdrawn.

New claims 33-35 have been entered.

Claims 1-6, 10-20 and 24-29 are cancelled. Claims 7-9, 21-23 and 30-35 are pending in the instant application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Colin Barnitz on September 29, 2006.

The application has been amended as follows:

In the Claim

Claim 7 lines 10 and 11, ' a thin film electrode that is formed integrally with the top electrode; and' has been replaced with -- a single layer forming a thin film electrode and the top electrode; and ---.

Claim 30,

lines 7 and 8, 'a top electrode of an electron source' has been replaced with –
the top electrode of the electron source--

line 15, ' a thin film electrode that is formed integrally with the top electrode;' has been replaced with -- a single layer forming a thin film electrode and the top electrode; ---.

Allowable Subject Matter

Claims 7-9, 21-23 and 30-35 are allowed over the prior art of record.

The following is an examiner's statement of reasons for allowance:

Regarding claims 7 and 30, the references of the Prior Art of record fails to teach or suggest the electron emitter having the combination of the limitations as set forth in claims 7 and 30, and specifically comprising the limitation of each bus electrode comprising a single layer forming a thin film electrode and the top electrode and a thick film electrode provided on the thin film electrode.

Claims 8, 9 and 33 are allowable for the reasons given in claim 7 because of their dependency status from claim 7.

Claims 31, 32 and 35 are allowable for the reasons given in claim 30 because of their dependency status from claim 30.

Regarding claim 21 the references of Prior Art of Record fails to teach or suggest the method of manufacturing an electron emitter having the combination of the limitations as set forth in claim 21, and specifically comprising the limitation of forming a plurality of bus electrodes comprising a thin film electrode integrated with the top electrode and a thick film electrode, the thin film electrode and the top electrode being formed by selectively patterning the thin conductive film.

Claims 22, 23 and 34 are allowable for the reasons given in claim 21 because of their dependency status from claim 30.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sikha Roy whose telephone number is (571) 272-2463. The examiner can normally be reached on Monday-Friday 8:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nimeshkumar D. Patel can be reached on (571) 272-2457. The fax phone number for the organization is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sikha Roy

Sikha Roy
Patent Examiner
Art Unit 2879